



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

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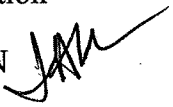
MARY C. WICKHAM  
Interim County Counsel

October 22, 2015

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TO: PATRICK OGAWA  
Acting Executive Officer  
Board of Supervisors

Attention: Agenda Preparation

FROM: JENNIFER A.D. LEHMAN   
Assistant County Counsel  
Law Enforcement Services Division

RE: Lindsay F. v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 473127

Attached is the Agenda entry for the Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation in the above-referenced matter. Also attached is the Case Summary and the Summary Corrective Action Plan for the case.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda of November 3, 2015.

JADL

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation: Authorize settlement of the matter entitled Lindsay F. v. County of Los Angeles, et al., Los Angeles Superior Court Case No. BC 473127 in the amount of \$2 million, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department Contract Cities Trust Fund's budget. The Contract Cities' excess insurance carrier will cover the remaining \$4.15 million of the total \$6.15 million settlement.

This lawsuit concerns allegations of sexual assault and false imprisonment by a Sheriff's Deputy.

## **CASE SUMMARY**

### **INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION**

CASE NAME	Lindsay F. v. County of Los Angeles, et al
CASE NUMBER	BC 473127
COURT	Los Angeles Superior Court
DATE FILED	November 8, 2011
COUNTY DEPARTMENT	Sheriff's Department Contract Cities Trust Fund – Lancaster
PROPOSED SETTLEMENT AMOUNT	\$ 6.15 million
ATTORNEY FOR PLAINTIFF	DAVID M. RING, ESQ
COUNTY COUNSEL ATTORNEY	MILLICENT L. ROLON Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$6.15 million, the lawsuit filed by Lindsay F. alleging sexual battery, false imprisonment, negligence, and violation of her civil rights after Deputy Sanchez allegedly forced her to have sexual intercourse with him during a traffic stop.</p> <p>Due to the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$6.15 million is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 273,276
PAID COSTS, TO DATE	\$ 80,027

Case Name: Lindsay F. v. County of Los Angeles, et al.



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	Wednesday, September 22, 2010; approximately 1:20 a.m.
Briefly provide a description of the incident/event:	<p><u>Lindsay F. v. County of Los Angeles, et al.</u> Summary Corrective Action Plan 2015-041</p> <p>On Wednesday, September 22, 2010, at approximately 1:20 a.m., a uniformed Los Angeles County deputy sheriff, driving a standard black and white patrol vehicle, initiated an enforcement stop on the plaintiff's vehicle to investigate a misdemeanor traffic warrant issued in the name of the plaintiff.</p> <p>During the course of the enforcement stop, the deputy sheriff drove the plaintiff to a remote, dark, and isolated area where he sexually assaulted her.</p> <p>The plaintiff reported the incident to the Los Angeles County Sheriff's Department the following day.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

The **primary** root cause in this incident is an act of criminal misconduct committed by a member of the Los Angeles County Sheriff's Department (**Exhibit A** – California Penal Code section 261(a)(7), Rape Under Color of Authority; **Exhibit B** – California Penal Code section 68, Soliciting a Bribe).

2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had relevant policies and procedures/protocols in effect at the time of the incident. The Department's response to the plaintiff's allegations appeared to be appropriate, thorough, and timely.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in the incident.

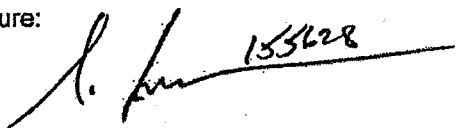
This incident was investigated by representatives from the Office of the Los Angeles County District Attorney and the Los Angeles County Sheriff's Department. Their investigations revealed employee misconduct. As a result, appropriate administrative action was imposed upon one member of the Los Angeles County Sheriff's Department.

County of Los Angeles  
Summary Corrective Action Plan

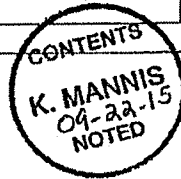
3. Are the corrective actions addressing department-wide system issues?

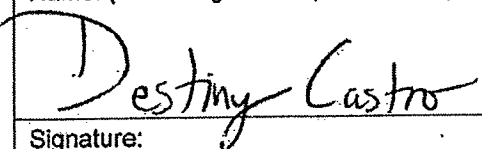
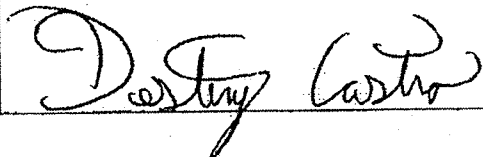
- ☐ Yes – The corrective actions address department-wide system issues.  
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)  Scott E. Johnson, Captain Risk Management Bureau	
Signature: 	Date:  9-15-15

Name: (Department Head)  Earl M. Shields, Chief Professional Standards Division	
Signature:  Earl Shields km	Date:  09-22-15



<b>Chief Executive Office Risk Management Inspector General USE ONLY</b>	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability. <input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General)  	
Signature:  	Date:  9/22/2015